The following are comments received during the public and agency scoping process for the Columbia River Management Program Environmental Impact Statement. The comment period was open from May 5, 2006 through June 5, 2006. During that period, comments were accepted via regular mail and email. In addition, both hand written comments and transcribed verbal comments were accepted at four public open houses held during the scoping period. The public open houses were held in Wenatchee, Colville, Moses Lake, and Kennewick.

The comments received are organized below follows:

- A) Comments received via regular mail,
- B) Comments received via email,
- C) Hand written comments received at open houses, and
- D) Comments transcribed at open houses.

## ENGROSSED SECOND SUBSTITUTE

HOUSE BILL 2860

ENGROSSED SECOND SUBSTITUTE

HOUSE BILL 2860
CHAPTER 6, LAWS OF 2006,
59th LEGISLATURE
COLUMBIA RIVER BASIN WATER SUPPLY
EFFECTIVE DATE 7-01-06

PUBLIC HEARING
May 18th, 2006
Colville, Washington

PUBLIC HEARING held at the request of the Department of Ecology, MOLLY GIBBS, before Betty A. Sitter, a notary public, at 317 W. Aston, Colville Agricultural Trade Center, Spokane, Washington, commencing at or about 4:00 p.m., May 18, 2006, pursuant to the Washington Rules of Civil Procedure.

P-U-B-L-I-C T-E-S-T-I-M-O-N-Y

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MR. RUSS LARSEN: I've been a member of the

4 Colville River Watershed ever since it started up here for

- six years, and I feel that if we are going to open up this
- 6 basin on instream flows we are going to have to have
- instream storage projects to hold the water so that we can
- 8 keep the instream flow up.
- That's really about all my comments.
- I'm glad that this passed the legislature and
- I think this Act here will be one of the greatest
- opportunities Eastern Washington has ever had.
- Of course we are also trying to get our
- management completed by having an adjudication up here,
- but we feel we are going to probably be put on the back
- burner because the North Idaho legislature okayed the
- <sup>17</sup> adjudication.
- The Idaho legislature adjudicated the North
- 19 Idaho area that they don't have adjudicated yet, and, of
- course, that affects the three basins in Northeast
- Washington, the Pend Oreille Basin and the Palouse Basin
- and the Spokane Basin, will probably go ahead of us.
- I would prefer that we could go ahead with our
- adjudication, and that hopefully if the Department of
- Ecology would put enough personnel on, they could do

Page 3

- those adjudications and our adjudication at the same time.
- I guess that's all I really have to say, I
- 3 quess.
- Thank you for giving me the opportunity to
- 5 comment on this. Closing the basin with so little public
- input and so quickly back in 1977, was a disservice to the
- 7 citizens of the Colville River Basin. If we would have
- had a six year study to open it up like we are now, I feel
- 9 this basin would have never got closed.
- A closed basin is where you cannot get a
- surface water right or a ground water right from the
- Department of Ecology because they say it is over
- appropriated by the rights that are on paper, but the
- Department of Ecology failed to study. And, of course, I
- was a Water Master in 1977 up in this basin, and the
- people in charged knew that approximately 20 percent of
- these rights at that time, that were only being used, and
- in our study we found, now, that only 12 1/2 percent of
- 19 the rights are being used.
- So this makes adjudication very, very
- meaningful here to get rid of the dead rights.
- This is very important so we know within
- instream flows we will now how much water we can
- 24 appropriate then.
- Having a closed basin affects everybody. It

affects municipal projects, like for example the City of Chewela has put in for 1600 gallons per minute for some 3 wells, but with a closed basin, they will not get it to open -- not get it approved unless the basin is open. fact, as we understand it, you must have a water right 5 permit even to store water in this basin, and they will 6 not issue a storage permit unless your basin is open. So I feel that this is very, very important, and our community feels that this is very, very important. 10 Also in our basin, this is kind of like pie in 11 the sky, but if we had a series of these storage dams, 12 there is a chance that we could generate electricity on these little dams and then hopefully the PUD would have 13 that responsibility, and even if they could not use it for 14 their customers, it could be sold to Avista for reduction 16 in their customer rates. I think that's about it. 17 There is applications that have been applied 18 for during the closure in 1977 and on, that can't be acted 19 upon until the basin is open. And these include 20 municipal and agricultural rights. 21 22 That's all. 23 24 (Public testimony concluded.)

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6	COLUMBIA RIVER WATER MANAGEMENT PROGRAM
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8	ENVIRONMENTAL IMPACT STATEMENT
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10	OPEN HOUSE
11	
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14	
15	May 23, 2006
16	4:00 p.m 7:00 p.m.
17	Three Rivers Convention Center
18	7016 West Grandridge Boulevard
19	Kennewick, Washington
20	
21	
22	
23	BRIDGES & ASSOCIATES
24	Certified Shorthand Reporters P.O. Box 5999
25	Kennewick, Washington 99336 (509) 735-2400 - (800) 358-2345

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(Public hearing opened.) 1 (Oral comments.) 2 3 --00000--5 FRANK LYALL: My name is Frank Lyall from 6 the Washington Growers Clearinghouse. 7 And I just want to say initially that 9 farmers empirically are ecosystem managers and many with 10 many decades of experience, some with half a century of experience. 11 Our comments on this, are they supposed to 12 be specifically to water law or is it any environmental 13 impact in the -- from the Columbia Basin Initiative or 14 Is there any parameters? 15 (Discussion held off the record.) 16 17 FRANK LYALL: I'll continue. Basically, I want to say that there's a lot of regulation by the 18 Department of Ecology that's driving farmers off of their 19 20 land, especially having to do with ag burning and spray buffers. And the net result of that is that as it becomes 21 22 more difficult for these farmers to continue, that you could look forward to the Columbia River being lined with 23 subdivisions of trophy cabins and pads for big box stores. 24

You can see this going on right now north of Wenatchee

along the river in the Chelan area. It's only going to get worse.

If, you know, property rights are -- if there's an attempt to regulate those rights through law and to transferability or what you can do on the land, I think it just begets property rights initiatives like you're seeing what's going to be on the ballot this fall or that was passed, actually, in Oregon.

But most likely the Columbia River in 10,
20, 30 years hence is going to look a lot different today
in that most of those farmers are going to be gone and
what you're going to see is development. And for the most
part, that development, I think, is harder on the
ecosystem than the farms are. There tends to be more
runoff and more runoff of significant chemicals off of
developed land or urban areas.

The second thing I wanted to speak about regarding the Columbia Basin Initiative is how the globalization of ecosystem is going to affect the Columbia River. And that is these spray buffers become literal weed banks along the Columbia where there's a whole plethora of invasive weed species, many from the Mediterranean, from Mongolia, and other parts of world. Some good examples are Kochia, puncture vine, nap weed Canadian thistle. And the worst weeds often tend to drive

out weeds that were bad enough as they are, but where you have now Kochia driving out tumbleweeds, which is generally an unfavorable turn of events.

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And these weed banks, as you can't spray them, they tend to provide a source of seed that moves inland which, ironically, will increase the use of pesticides and expenditure of energy to eliminate these weeds outside of the buffered zones. Or also these areas provide, it's not just weeds, but also invasive insects such as apple maggots or -- and it's also a potential public health issue with mosquito borne diseases.

Ironically, organic farmers are in the most jeopardy from these literal weed banks since they won't have conventional pesticides to fight these off. But overall what it's meant to the ecosystem of the Columbia River Basin is that these invasive species have changed the landscape that we've had the last 10,000 years, and it's something that I don't think the Department of Ecology seems oblivious to in that they need to consider whether it's, you know, a few billion parts of -- or a few parts per billion of pesticides in their water might be preferable to the spread of these invasive weed species and the change in the ecosystem as it's been the last 10,000 years.

The third thing I'd like to say is, there again,

is that if these farmers don't have a consistent, ample water supply, there again, they will be inclined to be forced off the land or will be inclined to leave prematurely and you will see increased development. It's very unlikely that these farmers are going to leave these pieces of property and that that farm will just go fallow. Most likely it will be houses. And that kind of wraps up what I have to say. (Public hearing closed.) 

1	STATE OF WASHINGTON ) ) ss.
2	COUNTY OF BENTON )
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5	I, Susan J. Millay, do hereby certify that at
6	the time and place heretofore mentioned in the caption of
7	the foregoing matter, I was a Certified Court Reporter and
8	Notary Public for Washington; that at said time and place
9	I reported in stenotype all proceedings had in the
10	foregoing matter; that thereafter my notes were reduced to
11	typewriting and that the foregoing transcript consisting
12	of 5 typewritten pages is a true and correct transcript of
13	all such proceedings had and of the whole thereof.
14	I further certify that I am herewith securely
15	sealing the said original transcript and promptly
16	delivering the same to Judy Beitel.
17	Witness my hand at Kennewick, Washington, on
18	this 23rd day of May, 2006.
19	
20	
21	Susan J. Millay, CCR/RPR Certification No. 2743
22	Certified Court Reporter Notary Public for Washington
23	My commission expires May 9, 2008
24	
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MR. JACK FIELD: My name is Jack Field. I am the executive vice president of the Washington Cattlemen's Association. And we are just putting some questions forward regarding the endangered species information here for the Columbia River Initiative, or I don't know what the exact title is.

The questions we had would be what type of research and economic impact studies would be done in terms of the Chinook salmon, steelhead, Chum salmon, Coho salmon, Sockeye salmon, bull trout, bald eagle, the Pygmy rabbit, and then the Ute ladies'-tresses, and the Spalding silene, the endangered or threatened species or plants that are within the geography of the Columbia River program.

we have got several concerns regarding the impacts that private landowners have already taken under these said species.

we would just like to have a clear explanation as to how this program will further impact or possibly mitigate prior impacts that private landowners will have.

I guess if we could have some type of a written comment or response as to how they are going to proceed with potential construction or the program, understanding that the majority of these species are endangered already, just one of the big questions. And I think that's probably it right now. The concerns being with the species, wondering

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how much more studying and how much more money we are going to throw at endangered species and virtually get zero return on our investment. Trying to find a way to use an incentive-based program to reward private landowners for sound stewardship or management to enhance habitat or actual species.

And we would be very much interested in having that dialog with the Department of Ecology or Department of Fish and Wildlife at their convenience. Thank you.

MR. MARK BOOKER, ECBID Director: The ECBID is the Eastern Columbia Basin Irrigation District. Looking at all these stations, I believe there's more recreation possibilities than anyone has thought of, so we should look into all kinds of recreation, wildlife, to draw persons out of the city to have fun in the country because that's what they want to do.

MR. PEARSON BURKE, Union Elevator & Warehouse I feel that one of the main things that needs to be protected is the economic feasibility and opportunity that this area has. And hopefully that all of this, by preserving the water, or at least by using it more efficiently for all purposes, would be able to ensure the economy of this area because without it, if we lose the water, as we're doing right now because of the decreasing water table of the sub-Odessa aquifer, you are putting at

risk the businesses in this area, you are putting at risk the communities in this area. And unless something is done, it's going to happen sooner than what people realize.

I think it's important to protect the environment, but it almost seems that the environment has been too heavily weighted. We have a recent example in which I believe a judge ordered a release of water, which had the value through electricity of about 100 million dollars. And in essence they figured that that spring release saved 360 salmon.

There has to be some common sense. If this program or this policy process is able to avert decisions like this in the future, I think it's going to benefit everybody.

when you are dealing with the potential crisis that we are in this area, we really cannot afford to be waiting for this crisis to get worse. So far it's manageable, but we are not that far away from having a real crisis.

So hopefully this is a start of a process in which we can cut through some of the red tape and cut through some of the obstacles in order to ensure we have an adequate amount of water for future use in order to ensure the quality of life in this area. That's about all I have.

1	DEPARTMENT OF ECOLOGY
2	WATER RESOURCES/QUALITY PROGRAM
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11	OPEN HOUSE INFORMATIONAL MEETING
12	HELD: MAY 17, 2006 - 4:00 - 7:00 P.M.
13	201 NORTH WENATCHEE AVENUE
14	WENATCHEE, WASHINGTON
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22	GET OF EQUA
23	Reported by:
24	Jennifer McLeod
25	CCR NO. 2156

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The following statements were made on the record in regards to the information supplied by the Department of Ecology on May 17, 2006.

\* \* \*

MS. FENNELLE MILLER: I'm with the Spokane Tribe culture program. I'm an archeologist. Spokane Tribe has not been consulted with about this project; and that means government to government consultation as mandated by Executive Order 05-05 and the Centennial Accord Agreement. And as such, I personally don't believe that the scoping period should end June 5. It should end when the Spokane Tribe has been consulted with by ecology, as the ecology has initiated consultation.

My specific concerns as a technical representative of the Spokane Tribe, our cultural resources, it does not appear that cultural resources have been given adequate consideration to date. And on behalf of the Tribe, I strongly recommend that in-depth intensive investigations of each of the alternative storage sites is conducted. And this needs to be more than record searches because the records only contain information about sites where people have looked for them. And for the most part, none of these lands under consideration as storage sites have been surveyed for archeology.

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Furthermore, there may be areas in the project in which the Spokane Tribe has traditional cultural properties including root-digging grounds. And the Spokane Tribe also owns land on both the main stem of Columbia and the Spokane River, and as such, are co-managers of Lake Roosevelt. And every foot of drawdown in Lake Roosevelt negatively impacts cultural resources.

I also have concerns that this EIS is being done as a non project programmatic and there are three build project options in it. And according to my conversation with Ecology, these will be treated as non projects in the programmatic, and these must be specifically investigating on the ground for archeology.

I strongly recommend consultation between elected officials the governor representative and the tribal counsel of the Spokanes be initiated immediately and that the culture program also receive copies of all correspondence. Thank you.

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MS. DONNALEE MOORE: Donnalee Moore, Chelan county, the SEPA program. Charts of Odessa subarea special study states water depths based on information from 1968 to 1981. I feel we need to have more current stats, ideally

from the last five years versus 25 years ago, especially for charts and presentation to be brought to United States' senators and congressmen in Washington D.C.

As I was speaking to a gentleman down here with the charts of all the different counties throughout Washington State that are being studied, as a tenure rural volunteer firefighter with the Firefighter One training class with that, I have several concerns. I have brought these concerns up at some of the local meetings that might Mike Kaputa has organized.

In discussions of plans for storage tanks versus reservoirs, for example, the Blewitt Pass here in central Washington or in the mountainous areas in the greater Chelan County, many private old bridges are not built to accommodate heavy fire engines or tender trucks as well as the private roads. If you can get a tender truck to the reservoir, your suction port up on the side of the truck is approximately two feet from the ground.

I was taught in firefighting that the suction will only pump seven feet total. Then you lose your suction power, as in dribbling. Perhaps this is not feasible in the event of a fire storm or even for other applications. Thank you for your time.

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1	CERTIFICATE
2	STATE OF WASHINGTON )
3	County of King )
4	I, the undersigned Notary Public in and
5	for the state of Washington, do hereby certify:
6	That the annexed and foregoing statements
7	of each person named herein was taken stenographically
8	before me and reduced to typewriting under my direction.
9	IN WITNESS WHEREOF, I have hereunto set
10	my hand and affirmed my Official Seal this day of
11	Jul , 2006.
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14	1000
15	Jennifer L. McLeod
16	CCR No. 2156 Notary Public in and for the
17	State of Washington, Residing at Federal Way, Washington.
18	(Notary expires: 6/29/09)
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